

CHAPTER 8: EMERGENCY RESPONSE PROGRAM

If you have only Program 1 processes at your facility, you must coordinate your emergency response activities with local responders.

If you have at least one Program 2 or Program 3 process at your facility, part 68 may require you to implement an emergency response program, consisting of an emergency response plan, emergency response equipment procedures, employee training, and procedures to ensure the program is up-to-date. This requirement applies if your employees will respond to some releases involving regulated substances. (See the box on the next page for more information on What is Response?)

EPA recognizes that, in some cases (particularly for small operations with few employees), it may not be appropriate for employees to conduct response operations for releases of regulated substances. For example, it would be inappropriate, and probably unsafe, for a distributor holding large amounts of ammonia or chlorine with only one full-time employee to expect that a tank fire could be handled without the help of the local fire department or other emergency responder. EPA does not intend to force such facilities to develop emergency response capabilities. At the same time, you are responsible for ensuring effective emergency response to any releases at your facility. If your local public responders are not capable of providing such response, you must take steps to ensure that effective response is available (e.g., by hiring response contractors).

8.1 NON-RESPONDING FACILITIES (§ 68.90(b))

EPA has adopted a policy for non-responding facilities similar to that adopted by OSHA in its Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard (29 CFR 1910.120), which allows certain facilities to develop an emergency action plan to ensure employee safety, rather than a full-fledged emergency response plan. If your employees will not respond to accidental releases of regulated substances, then you need not comply with the emergency response plan and program requirements. Instead, you are simply required to coordinate with local response agencies to ensure that they will be prepared to respond to an emergency at your facility. (You may want to briefly review the program design issues discussed in section 8.2 of this chapter prior to making this decision.) This will help to ensure that your community has a strategy for responding to and mitigating the threat posed by a release of a regulated substance from your facility. To do so, you must ensure that you have set up a way to notify emergency responders when there is need for a response. Coordination with local responders also entails the following steps:

- ◆ If you have a covered process with a regulated toxic, work with the local emergency planning entity to ensure that the facility is included in the community emergency response plan prepared under EPCRA regarding a response to a potential release.
- ◆ If you have a covered process with a regulated flammable, work with the local fire department regarding a response to a potential release.

Although you do not need to describe these activities in your risk management plan, to document your efforts you should keep a record of:

- ◆ The emergency contact (i.e., name or organization and number) that you will call for a toxic or flammable release, and

WHAT IS “RESPONSE”?

EPA interprets “response” to be consistent with the definition of response specified under OSHA’s HAZWOPER Standard. OSHA defines emergency response as “a response effort by employees from outside the immediate release area or by other designated responders ... to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance.” The key factor here is that responders are designated for such tasks by their employer. This definition *excludes* “responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area, or by maintenance personnel” as well as “responses to releases of hazardous substances where there is no potential safety or health hazard (i.e., fire, explosion, or chemical exposure).” Thus, if you expect your employees to take action to end a small leak (e.g., shutting a valve) or clean up a spill that does not pose an immediate safety or health hazard, this action could be considered an incidental response and you would not need to develop an emergency response program if your employees are limited to such activities.

However, due to the nature of the regulated substances subject to EPA’s rule, only the most minor incidents would be included in this exception. In general, most activities will qualify as a response due to the immediacy of the dispersion of a toxic plume or spread of a fire, the volatilization of a spill, and the threat to people on and off site. As a result, if you will have your employees involved in any substantial way in responding to releases, you will need to develop an emergency response program. Your emergency response procedures need only apply to “response” actions; other activities will be described in your maintenance and operating procedures.

- ◆ The organization that you worked with on response procedures.

The remainder of this chapter is applicable only to those facilities that will conduct a more extensive level of response operations. As noted above, you may want to review the next section before making a decision on whether the facility will take responsibility for conducting any response activities.

8.2 ELEMENTS OF AN EMERGENCY RESPONSE PROGRAM (§ 68.95)

If you will respond to releases of regulated substances with your own employees, your emergency response program must consist of the following elements:

- ◆ An emergency response plan (maintained at the facility) that includes:

WHAT IS A LOCAL EMERGENCY PLANNING COMMITTEE?

Local emergency planning committees (LEPCs) were formed under the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986. The committees are designed to serve as a community forum for issues relating to preparedness for emergencies involving releases of hazardous substances in their jurisdictions. They consist of representatives from local government (including law enforcement and firefighting), local industry, transportation groups, health and medical organizations, community groups, and the media. LEPCs:

- ◆ Collect information from facilities on hazardous substances that pose a risk to the community;
- ◆ Develop a contingency plan for the community based on this information; and
- ◆ Make information on hazardous substances available to the general public.

Contact the mayor's office or the county emergency management office for more information on your LEPC.

- ▶ Procedures for informing the public and emergency response agencies about releases,
 - ▶ Documentation of proper first aid and emergency medical treatment necessary to treat human exposures, and
 - ▶ Procedures and measures for emergency response.
- ◆ Procedures for using, inspecting, testing, and maintaining your emergency response equipment;
 - ◆ Training for all employees in relevant procedures; and
 - ◆ Procedures to review and update, as appropriate, the emergency response plan to reflect changes at the facility and ensure that employees are informed of changes.

Finally, your plan must be coordinated with the community plan developed under the Emergency Planning and Community Right-to-Know Act (EPCRA, also known as SARA Title III). In addition, at the request of local emergency planning or response officials, you must provide any information necessary for developing and implementing the community plan.

In keeping with the approach outlined in Chapter 6, EPA is not requiring facilities to document training and maintenance activities. However, as noted above, facilities must maintain an on-site emergency response plan as well as emergency response equipment maintenance and program evaluation procedures.

Although EPA's required elements are essential to any emergency response program, they are not comprehensive guidelines for creating an adequate response capability. Rather than establish another set of federal requirements for an emergency response program, EPA has limited the provisions of its rule to those the CAA mandates. If you have a regulated substance on site, you are already subject to at least one emergency response rule: OSHA's emergency action plan requirements (29 CFR 1910.38). Under OSHA HAZWOPER (29 CFR 1910.120) any facility that handles "hazardous substances" (a broad term that includes all of the CAA regulated substances and thus applies to all facilities with covered processes) must comply with either 29 CFR 1910.38(a) or 1910.120(q). If you have a hazmat team, you are subject to the 29 CFR 1910.120(q) requirements. If you determine that the emergency response programs you have developed to comply with these other rules satisfy the elements listed at the beginning of this section, you will not have to do anything additional to comply with these elements. Additional guidance on making this decision is provided in section 8.5.

In addition, be careful not to confuse writing a set of emergency response procedures in a plan with developing an emergency response program. An emergency response plan is only one element of the integrated effort that makes an emergency response program. Although the plan outlines the actions and equipment necessary to respond effectively, training, program evaluation, equipment maintenance, and coordination with local agencies must occur regularly if your plan is to be useful in an emergency: The goal of the program is to enable you to respond quickly and effectively to any emergency. The documents listed in Exhibit 8-1 may be helpful in developing specific elements of your emergency response program.

Finally, remember that under the General Duty Clause of CAA section 112(r)(1) you are responsible for ensuring that any release from your processes can be handled effectively. If you plan to rely on local responders for some or all of the response, you must determine that those responders have both the equipment and training needed to do so. If they do not, you must take steps to meet any needs, either by developing your own response capabilities, developing mutual aid agreements with other facilities, hiring response contractors, or providing support to local responders so they can acquire equipment or training.

RELATIONSHIP TO HAZWOPER

If you choose to establish and maintain onsite emergency response capabilities, then you will be subject to the detailed provisions of the OSHA HAZWOPER Standard. HAZWOPER covers preparing an emergency response plan, employee training, medical monitoring of employees, recordkeeping, and other issues. Call your state or federal district OSHA office (see the list in Appendix D) for more information on complying with the HAZWOPER Standard.

EXHIBIT 8-1

FEDERAL GUIDANCE ON EMERGENCY PLANNING AND RESPONSE

Hazardous Materials Emergency Planning Guide (NRT-1), National Response Team, March 1987. Although designed to assist communities in planning for hazmat incidents, this guide provides useful information on developing a response plan, including planning teams, plan review, and ongoing planning efforts.

Criteria for Review of Hazardous Materials Emergency Plans (NRT-1A), National Response Team, May 1988. This guide provides criteria for evaluating response plans.

Integrated Contingency Plan, National Response Team, (61 FR 28642, June 5, 1996). This provides guidance on how to consolidate multiple plans developed to comply with various federal regulations into a single, functional emergency response plan..

North American Emergency Response Guidebook (NAERG96), U.S. Department of Transportation, 1996. This guidebook lists over 1,000 hazardous materials and provides information on their general hazards and recommended isolation distances.

Response Information Data Sheets (RIDS), US EPA and National Oceanic and Atmospheric Administration. Developed for use with the Computer-Aided Management of Emergency Operations (CAMEO) software, these documents outline the properties, hazards, and basic safety and response practices for thousands of hazardous chemicals.

HOW DOES THE EMERGENCY RESPONSE PROGRAM APPLY?

The requirements for the emergency response program are intended to apply across all covered processes at a facility. Although certain elements of the program (e.g., how to use specific items of response equipment) may differ from one process to another, EPA does not intend or expect you to develop a separate emergency response program for each covered process. With this in mind, you should realize that your emergency response program will probably apply to your entire facility, although technically it need only apply to covered processes.

For example, a facility may have two storage tanks, one containing slightly more than a threshold quantity of a regulated substance and one with slightly less. The facility is likely to adopt the same response approach (e.g., procedures, equipment, and training) for releases whether or not the process is “covered.” Similarly, a facility may have two adjacent flammables storage tanks, one containing a regulated substance above the threshold and the other containing another, unlisted flammable. The facility is likely to adopt the same approach for releases whether or not the process is “covered.”

8.3 DEVELOPING AN EMERGENCY RESPONSE PROGRAM

The development of an emergency response program should be approached systematically. As described in section 8.2, all facilities complying with these

emergency response program provisions will already be subject to OSHA HAZWOPER. As a result, you are likely to fall into one of two groups:

- ◆ You have already met several federal requirements for emergency planning and are interested in developing an integrated program to minimize duplication (section 8.4).
- ◆ You have a pre-existing emergency response program (perhaps based on an internal policy decision) and need to determine what additional activities you will need to conduct (section 8.5).

If you are complying with RDP, you also will have an emergency response plan to meet the RDP requirements. A comparison of the part 68 requirements and RDP, prepared by NACD, is provided in Appendix 8A to this chapter. As with the prevention program, if the actions you take to comply with RDP meet the requirements of part 68, no further action will be needed.

STEPS FOR GETTING STARTED

The following steps outline a systematic approach that can serve as the framework for the program development process in each of these cases. Following these initial steps will allow you to conduct the rest of the process more efficiently.

Form an emergency response program team. The team should consist of employees with varying degrees of emergency response responsibilities, as well as personnel with expertise from each functional area of your facility. You should consider including persons from the following departments or areas:

- ◆ Maintenance;
- ◆ Operations or line personnel;
- ◆ Upper and line management;
- ◆ Legal;
- ◆ Fire and hazmat response;
- ◆ Environmental, health, and safety affairs;
- ◆ Training;
- ◆ Security;
- ◆ EPCRA section 302 emergency coordinator (if one exists);
- ◆ Public relations; and
- ◆ Personnel.

Of course, the membership of the team will need to be more or less extensive depending on the scope of the emergency response program. A three-member team may be appropriate for a small facility with a couple of process operators cross-trained as fire responders, while a facility with its own hazmat team and environmental affairs department may need a dozen representatives.

Collect relevant facility documents. Members of the development team should collect and review all of the following:

- ◆ Site plans;
- ◆ Existing emergency response plans and procedures;
- ◆ Submissions to the LEPC under EPCRA sections 302 and 303;
- ◆ Hazard evaluation and release modeling information;
- ◆ Hazard communication and emergency response training;
- ◆ Emergency drill and exercise programs;
- ◆ After-action reports and response critiques; and
- ◆ Mutual aid agreements.

Identify existing programs to coordinate efforts. The team should identify any related programs from the following sources:

- ◆ Corporate- and industry-sponsored safety, training, and planning efforts; and
- ◆ Federal, state, and local government safety, training, and planning efforts (see Exhibit 8-2).

EXHIBIT 8-2

FEDERAL EMERGENCY PLANNING REGULATIONS

The following is a list of some of the federal emergency planning regulations:

- ◆ EPA's Oil Pollution Prevention Regulation (SPCC and Facility Response Plan Requirements) - 40 CFR part 112.7(d) and 112.20-.21;
- ◆ EPA's Risk Management Programs Regulation - 40 CFR part 68;
- ◆ OSHA's Emergency Action Plan Regulation - 29 CFR 1910.38(a);
- ◆ OSHA's Process Safety Standard - 29 CFR 1910.119;
- ◆ OSHA's HAZWOPER Regulation - 29 CFR 1910.120;
- ◆ EPA's Resource Conservation and Recovery Act Contingency Planning Requirements - 40 CFR part 264, Subpart D, 40 CFR part 265, Subpart D, and 40 CFR 279.52.
- ◆ EPA's Emergency Planning and Community Right-to-Know Act Requirements - 40 CFR part 355. (These planning requirements apply to communities, rather than facilities, but will be relevant when facilities are coordinating with local planning and response entities).
- ◆ EPA's Storm water Regulations - 40 CFR 122.26.

Facilities may also be subject to state and local planning requirements.

Determine the status of each required program element. Using the information collected, you should assess whether each required program element (see section 8.2) is:

- ◆ In place and sufficient to meet the requirements of part 68;
- ◆ In place, but not sufficient to meet the requirements of Part 68; or
- ◆ Not in place.

This examination will shape the nature of your efforts to complete the emergency response program required under the risk management program. For example, if you are already in compliance with OSHA's HAZWOPER Standard, you have probably satisfied most, if not all, of the requirements for an emergency response program. Section 8.6 explains the intent of each of EPA's requirements to help you determine whether you are already in compliance.

Take additional actions as necessary.

TAILORING YOUR PROGRAM TO YOUR HAZARDS

If your processes and chemicals pose a variety of hazards, it may be necessary to tailor some elements of your emergency response program to these specific hazards. Unless each part of your program element is appropriate to the release scenarios that may occur, your emergency response program cannot be fully effective. Your program should include core elements that are appropriate to most of the scenarios, supplemented with more specific response information for individual scenarios. This distinction should be reflected in your emergency response plan, which should explain when to access the general and specific response information. To do this, you will need to consider the following four steps:

- ◆ Identify and characterize the hazards for each covered process. The process hazards analysis (see Chapter 7) or hazard review (see Chapter 6), and offsite consequence analysis (see Chapter 4) should provide this information.
- ◆ For each program element, compare the activities involved in responding to each type of accident scenario and decide if they are different enough to require separate approaches. For example, response equipment and training will likely be different for releases of toxic versus flammable gases.
- ◆ For those program elements that may be chemical- or process-specific, identify what and how systems and procedures need to be modified. For example, if existing mitigation systems are inadequate for responding to certain types of releases, you will need to consider what additional types of equipment are needed.
- ◆ Consider possible causes of emergencies in developing your emergency response program. You should consider both the hazards at your facility and in the surrounding environment. In making this determination, you should consider your susceptibility to:
 - Fires, spills, and vapor releases;
 - Floods, temperature extremes, tornadoes, earthquakes, and hurricanes;
 - Loss of utilities, including power failures; and
 - Train derailments, bomb threats, and other man-made disasters.

8.4 INTEGRATION OF EXISTING PROGRAMS

A number of other federal statutes and regulations require emergency response planning (see Exhibit 8-2). On June 5, 1996, the National Response Team (NRT), a multi-agency group chaired by EPA, published the Integrated Contingency Plan Guidance in the *Federal Register* (61 FR 28642). This guidance is intended to be used by facilities to prepare emergency response plans for responding to releases of oil and hazardous substances. The guidance provides a mechanism for consolidating multiple plans that you prepared to comply with various regulations into a single, functional emergency response plan or integrated contingency plan (ICP).

The ICP guidance does not change existing regulatory requirements; rather, it provides a format for organizing and presenting material currently required by regulations. Individual regulations are often more detailed than the ICP guidance. To ensure full compliance, you will still need to read and comply with all of the federal regulations that apply. The guidance contains a series of matrices designed to assist you in consolidating various plans while documenting compliance with these federal requirements.

The NRT and the agencies responsible for reviewing and approving plans to which the ICP option applies have agreed that integrated response plans prepared according to the guidance will be acceptable and the federally preferred method of response planning. The NRT anticipates that future development of all federal regulations addressing emergency response planning will incorporate use of the ICP guidance.

The notice published in the *Federal Register* explains the intended structure of the ICP and provides detailed annotation. EPA's EPCRA/RCRA/Superfund Hotline (1-800-535-0202) can supply you with a copy and answer general questions about the guidance; for further information and guidance on complying with specific regulations, you should contact the appropriate federal agencies.

8.5 HAVE I MET PART 68 REQUIREMENTS?

EPA believes that the creation of multiple response plans to meet slightly different federal or state standards is counterproductive, diverting resources that could be used to develop better response capabilities. Therefore, as part of the overall effort to reduce the imposition of potentially duplicative or redundant federal requirements, EPA has limited its requirements for the emergency response program to the general provisions mandated by Congress, as described in section 8.2.

As a result, EPA believes that facilities subject to other federal emergency planning requirements may have already met the requirements of these regulations. For example, plans developed to comply with other EPA contingency planning requirements and the OSHA HAZWOPER rule (29 CFR 1910.120) will likely meet the requirements for the emergency response plan (and most of the requirements for the emergency response program). The following discussion presents some general guidance on what actions you need to take for each of the required elements.

EMERGENCY RESPONSE PLAN

If you already have a written plan to comply with another planning regulation, you do not need to write another plan, but only add to it as necessary to cover the elements listed below.

Keep in mind: At a minimum, your plan must describe:

- ◆ Your procedures for informing the public and offsite emergency response agencies of a release. This must include the groups and individuals that will be contacted and why, the means by which they will be contacted, the time frame for notification, and the information that will be provided.
- ◆ The proper first aid and emergency medical treatment for employees, first responders, and members of the public who may have been exposed to a release of a regulated substance. This must include standard safety precautions for victims (e.g., apply water to exposed skin immediately) as well as more detailed information for medical professionals. You must also indicate who is likely to be responsible for providing the appropriate treatment: an employee, an employee with specialized training, or a medical professional.
- ◆ Your procedures for emergency response in the event of a release of a regulated substance. This must include descriptions of the actions to be taken by employees and other individuals on-site over the entire course of the release event:
 - Activation of alarm systems and interpretation of signals;
 - Safe evacuation, assembly, and return;
 - Selection of response strategies and incident command structure;
 - Use of response equipment and other release mitigation activities; and
 - Post-release equipment and personnel cleanup and decontamination.

PLANNING COORDINATION

One of the most important issues in an emergency response program is deciding which response actions will be assigned to employees and which will be handled by offsite personnel. As a result, talking to public response organizations will be critical when you develop your emergency response procedures. Although EPA is not requiring you to be able to respond to a release alone, you should not simply assume that local responders will be able to manage an emergency. You must work with them to determine what they can do, and then expand your own abilities or establish mutual aid agreements or contracts to handle those situations for which you lack the appropriate training or equipment.

If you have already coordinated with local response agencies on how to respond to potential releases of regulated substances and you have ensured an effective response, you do not need to take any further action.

Keep in mind: Your coordination must involve planning for releases of regulated substances from all covered processes and must cover:

- ◆ What offsite response assistance you will require for potential release scenarios, including fire-fighting, security, and notification of the public;
- ◆ How you will request offsite response assistance; and
- ◆ Who will be in charge of the response operation and how will authority be delegated down the internal and offsite chain of command.

Coordination equivalent to that required for planning for extremely hazardous substances under EPCRA sections 302-303 will be considered sufficient to meet this requirement. A more detailed discussion of this element is provided in section 8.6.

EMERGENCY EQUIPMENT

If you already have written procedures for using and maintaining your emergency response equipment, you do not need to write new procedures.

Keep in mind: Your procedures must apply to any emergency equipment relevant to a response involving a covered process, including all detection and monitoring equipment, alarms and communications systems, and personal protective equipment not used as part of normal operations (and thus not subject to the prevention program requirements related to operating procedures and maintenance). The procedures must describe:

- ◆ How and when to use the equipment properly;
- ◆ How and when the equipment should receive routine maintenance; and
- ◆ How and when the equipment should be inspected and tested for readiness.

Written procedures comparable to those necessary for process-related equipment under the OSHA PSM Standard and EPA's Program 2 and 3 Prevention Programs will be considered sufficient to meet this requirement.

EMPLOYEE TRAINING

If you already train your employees in how to respond to (or evacuate from) releases of regulated substances, then you do not need a new training program.

Keep in mind: Your training must address the actions to take in response to releases of regulated substances from all covered processes. The training should be based

directly on the procedures that you have included in your emergency response plan and must be given to all employees and contractors on site. Individuals should receive training appropriate to their responsibilities:

- ◆ If they will only need to evacuate, then their training should cover when and how to evacuate their location.
- ◆ If they may need to activate an alarm system in response to a release event, then their training should cover when and how to use the alarm system.
- ◆ If they will serve on an emergency response team, then their training should cover how to use emergency equipment and how the incident command system works.

Emergency response training conducted in compliance with the OSHA HAZWOPER Standard and 29 CFR 1910.38 will be considered sufficient to meet this requirement.

RESPONSE PLAN EVALUATION

If you already have a formal practice for regular review and updates of your plan based on changes at the facility, you do not need to develop additional procedures.

Keep in mind: You must also identify the types of changes to the facility that would cause the plan to be updated (e.g., a new covered process) and include a method of communicating any changes to the plan to your employees (e.g., through training). You may want to set up a regular schedule on which you review your entire emergency response plan and identify any special conditions (e.g., a drill or exercise) that could result in an interim review.

8.6 COORDINATION WITH LOCAL EMERGENCY PLANNING ENTITIES (§ 68.95(c))

Once you determine that you have at least one covered process, you should open communications with local emergency planning and response officials, including your local emergency planning committee if one exists. Because your LEPC consists of representatives from many local emergency planning and response agencies, it is likely to be the best source of information on the critical emergency response issues in your community. However, in some cases, there may not be an active LEPC in your community. If so, or if your state has not designated your community as an emergency planning district under EPCRA, you will likely need to contact local agencies individually to determine which entities (e.g., fire department, emergency management agency, police department, civil defense office, public health agency) have jurisdiction for your facility.

KEY COORDINATION ISSUES

If you have any of the toxic regulated substances above the threshold quantity, you should have already designated an emergency coordinator to work with the LEPC on chemical emergency preparedness issues (a requirement for certain facilities regulated

under EPCRA). If you have not (or if your facility has only regulated flammable substances), you may want to do so at this time. The emergency coordinator should be the individual most familiar with your emergency response program (e.g., the person designated as having overall responsibility for this program in your management system — see Chapter 5).

Involvement in the activities of your LEPC can have a dramatically positive effect on your emergency response program, as well as on your relationship with the surrounding community. Your LEPC can provide technical assistance and guidance on a number of topics, such as conducting response training and exercises, developing mutual aid agreements, and evaluating public alert systems. The coordination process will help both the community and the facility prepare for an emergency, reducing expenditures of time and money, as well as helping eliminate redundant efforts.

You should consider providing the LEPC with draft versions of any emergency response program elements related to local emergency planning efforts. This submission can initiate a dialogue with the community on potential program improvements and lead to coordinated training and exercise efforts. In return, your LEPC can support your emergency response program by providing information from its own emergency planning efforts, including:

- ◆ Data on wind direction and weather conditions, or access to local meteorological data, to help you make decisions related to the evacuation of employees and public alert notification;
- ◆ Lists of emergency response training programs available in the area for training police, medical, and fire department personnel, to help you identify what training is already available;
- ◆ Schedules of emergency exercises designed to test the community response plan to spur coordinated community-facility exercises;
- ◆ Lists of emergency response resources available from both public and private sources to help you determine whether and how a mutual aid agreement could support your program; and
- ◆ Details on incident command structure, emergency points of contact, availability of emergency medical services, and public alert and notification systems.

Upon completion of your emergency response plan, you should coordinate with the LEPC, local response organizations, local hospitals, and other response organizations (e.g., state hazmat team) and offer them a copy of the plan. In some instances, only a portion of the plan may be of use to individuals or organizations; in such cases, you should consider making only that portion of the plan available. For instance, it may be appropriate to send a hospital only the sections of your plan that address emergency medical procedures and decontamination.

You may also want to provide your LEPC and local response entities with a description of your emergency response program elements, as well as any important subsequent amendments or updates, to ensure that the community is aware of the scope of your facility response efforts prior to an emergency. Although the summary of your emergency response program will be publicly available as part of your RMP, this information may not be as up-to-date or as comprehensive. Remember, the LEPC has been given the authority under EPCRA and Clean Air Act regulations to request any information necessary for preparing the community response plan.

PLANNING FOR FLAMMABLE SUBSTANCES

In the case of regulated flammable substances, the fire department with jurisdiction over your facility may already be conducting fire prevention inspections and pre-planning activities under its own authority. Your participation in these efforts (as requested) will allow local responders to gather the information they need and prepare for an emergency. If there is no local fire department, or if there is only a volunteer fire department in your area, you may need to contact other local response or planning officials (e.g., police) to determine how you can work with the community.

APPENDIX 8A

COMPARISON OF EMERGENCY RESPONSE PROGRAM AND RDP

| EPA's Risk Management Program | NACD's Responsible Distribution Process SM |
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| Emergency Response Plan | Emergency Response and Public Preparedness |
| <p>NOTE: <i>If you already have a written plan to comply with another planning regulation, you do not need to write another plan.</i></p> | |
| <p>Plan must describe procedures for informing the public and offsite emergency response agencies of a release.</p> <p>Procedures must include the groups and individuals that will be contacted and why, the means by which they will be contacted, the time frame for notification, and the information that will be provided.</p> | <p>Section A. A process for responding to, reporting on, and investigating chemical distribution incidents and releases involving the member company's chemicals, and implementation of appropriate preventive measures developed from that investigative process.</p> <p>Emergency response plans should contain, but may not be limited to the following elements:</p> |
| <p>Plan must describe procedures for informing the public and offsite emergency response agencies of a release.</p> <p>Procedures must include the groups and individuals that will be contacted and why, the means by which they will be contacted, the time frame for notification, and the information that will be provided.</p> | <ol style="list-style-type: none"> 1. Scope and authority 2. Organization - home phone numbers of key company people, emergency phone numbers of suppliers 3. Alarms 4. Communications 5. Control and command centers |
| <p>The plan must include the proper first aid and emergency medical treatment for employees, first responders, and members of the public who may have been exposed to a release of a regulated substance. This must include standard safety precautions for victims as well as more detailed information for medical professionals. The plan must also indicate who is likely to be responsible for providing the appropriate treatment.</p> | <ol style="list-style-type: none"> 6. Plant site evacuation - employee meeting sites 7. Personnel check-off lists |

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| <p>The plan must include procedures for emergency response in the event of a release of a regulated substance. This must include descriptions of the actions to be taken by employees and other individuals on-site over the entire course of the release event.</p> <p>Coordination with local response agencies must involve planning for releases of regulated substances from all covered processes.</p> | <p>8. Fire-fighting - rescue plan for trapped people</p> <p>9. Spill response</p> <p>10. Community evacuation - notify all company personnel in event of accident</p> |
| <p>Coordination must cover what offsite response assistance you will require for potential release scenarios, including fire-fighting, security, and notification of the public; how you will request offsite response assistance; and who will be in charge of the response operation and how will authority be delegated down the internal and offsite chain of command.</p> | <p>11. Cessation of operations</p> <p>12. First aid - location of emergency equipment</p> <p>13. Emergency transportation</p> <p>14. Area security,</p> <p>15. Utilities and public services</p> <p>16. Mutual aid organizations</p> <p>17. Outside agencies</p> <p>18. Public sector and media management</p> |
| | <p>19. Community relations</p> <p>20. Return to normal operations</p> <p>21. Regulatory issues</p> <p>22. Training</p> <p>23. Drills</p> <p>24. Audits</p> <p>25. Regular review and update of the process</p> <p>26. Regular verification of emergency numbers</p> <p>Section G. Coordination of the written facility emergency response plan with the local emergency response team and other facilities. If no community plan exists, the facility should assist with efforts to create one.</p> |

| Emergency Response Equipment Procedures | Emergency Response & Public Preparedness |
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| <p>NOTE: If you already have written procedures for using and maintaining your emergency response equipment, you do not need to write new procedures.</p> <p>Procedures must apply to any emergency equipment relevant to a response involving covered processes, including all detection and monitoring equipment, alarms and communications systems, and personal protective equipment not used as part of normal operations.</p> <p>Procedures must describe how and when to use the equipment properly, how and when the equipment should receive routine maintenance, and how and when the equipment should be inspected and tested for readiness.</p> | <p>See Section A Above</p> |
| Employee Training | Emergency Response & Public Preparedness |
| <p>NOTE: If you already train your employees in how to respond to (or evacuate from) releases of regulated substances, as appropriate, then you do not need a new training program.</p> <p>Your training must address the actions to take in response to releases of regulated substances from all covered processes.</p> <p>Training must be given to all employees and contractors on site.</p> | <p>See Section A Above</p> |

| Procedures to Ensure the Program is Up-To-Date | Emergency Response & Public Preparedness |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>NOTE: <i>If you already have a formal practice for regular review and updates of your plan based on changes at the facility, you do not need to develop additional procedures.</i></p> <p>You must identify the types of changes to the facility that would cause the plan to be updates and include a method of communicating any changes to the plan to your employees.</p> | <p>Section E. Annual review, testing, and assessment of the operability of the member company's written emergency response plan.</p> |
| | Additional RDP Emergency Response & Public Preparedness Components |
| | <p>Section B. A system of internal investigation, reporting, appropriate corrective action and follow-up for each incident that results or could have resulted in a fire, explosion, or accidental chemical release.</p> <p>Section C. Procedures for making emergency response information concerning the member company's chemicals available to response agencies.</p> <p>Section D. Communications with state and local emergency planning and response organizations on the potential hazards of the member company's chemicals.</p> <p>Section F. Facility tours for first responders to promote emergency preparedness and to provide current knowledge of facility operations.</p> <p>Section H. Participation in the Local Emergency Planning Committee's process to develop and periodically test the local emergency response plan.</p> |

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